PC AGENDA: 07/23/14 ITEM: 3.b.



PLANNING, BUILDING AND CODE ENFORCEMENT

200 E. SANTA CLARA STREET • SAN JOSE, CA 95113

PLANNING COMMISSION STAFF REPORT

File No.	CP14-023
Applicant:	CTE Mobilnet of California, LP, "dba" Verizon
	Wireless
Location	Located in the back parking lot of a multi-tenant
	industrial building, on the west side of Junction
	Avenue and the west terminus of Brennan Drive.
	(2291 Junction Avenue)
Existing Zoning	Industrial Park
Historic Resource	No
Annexation Date:	April 14, 1964
CEQA:	Exempt

APPLICATION SUMMARY: Conditional Use Permit to construct a 60 foot tall wireless communication antenna monopole (monopine design) and associated equipment within a fenced enclosure on a 3.03 gross acre site

RECOMMENDATION:

Staff recommends that the Planning Commission **Approve** the **Conditional Use Permit** subject to facts and findings (see Resolution).

PROJECT DATA

GENERA	L PLAN CONSISTENCY		
General l	Plan Designation	Light Industrial	
		☐ Consistent ☐ Inc	onsistent
Consister	nt Policies	Goal IN6; Policy IN6	.1; CD4-12; CP6-20
Inconsist	ent Policies	N/A	
SURROU	JNDING USES		
	General Plan Land Use	Zoning	Existing Use
North	Light Industrial	Industrial Park	Distribution Center
South	Light Industrial	Industrial Park	Manufacturing
East	Light Industrial	Heavy Industrial	Restaurant Depot/Mailing
			Center
West	Light Industrial	Industrial Park	Railroad Tracks, Electronics
			Distributor
RELATE	CD APPROVALS		
Date	Action		
4/4/64	Site annexed into the City of	of San Jose (Orchard No.	37).
10/16/79	Site Development Permit ap	· • · · · · · · · · · · · · · · · · · ·	
6/10/14	Permit Adjustment (AD14-	331) to allow two roll up	doors on the northwest façade
	measuring 15 foot high and	14 foot wide each.	

PROJECT DESCRIPTION

On April 23, 2014, the applicant's representative, Pamela Nobel with NSA Wireless Inc., on behalf of GTE Mobilnet of California LP/ Verizon Wireless, applied for a Conditional Use Permit (CUP) to allow the construction of a 60-foot tall wireless communication antenna monopole. Upon review, it was determined that the visual impacts of the monopole were too great, and the applicant was asked to mitigate these impacts by suggesting a new design or relocate the antenna to a less visible location. Per staff direction on June 20, 2014, the applicant's representative submitted new plans showing a monopine design. This monopine design allows for the wireless communication antennas to be 55 feet tall, with an addition of 5 feet for foliage coverage, totaling 60 feet in height.

The project site is located in the rear parking lot of an industrial building at 2294 Junction Avenue, located on the west side of Junction Avenue and the west terminus of Brennan Drive.

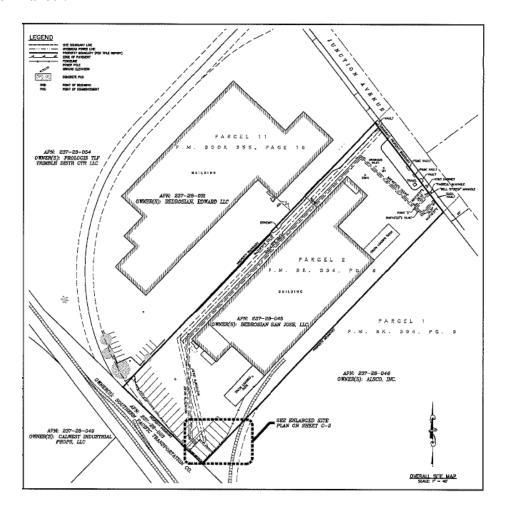
Site Location:



The project site is located behind an industrial building owned by Bedrosian San Jose, LLC and is occupied by HomeRev, Inc. Furniture. There are available spaces for lease in the building. The proposed monopine will be located at the rear of the property in the parking lot, abutting other industrial uses. The parcels surrounding the proposed site are all zoned Light Industrial or Heavy Industrial. The uses around the proposed site are all compatible with the Light Industrial and the Industrial Park General Plan land use designations.

The goal of this project is to continue to provide and enhance wireless communication coverage to an underserved area of the city. The project includes a new 60 foot monopine with nine antennas and associated equipment. This project proposes one prefabricated equipment shelter to house the equipment and a new standby 30 kilowatt generator. All of this equipment will be enclosed in a 832 square foot chain linked, privacy slated fenced compound which is not visible from the street. The proposed facility will be unmanned, except for monthly maintenance operations.

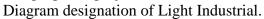
Location on Parcel:



ANALYSIS

Envision San José 2040 General Plan Conformance

The proposed project site has an Envision San Jose 2040 General Plan Land Use/Transportation





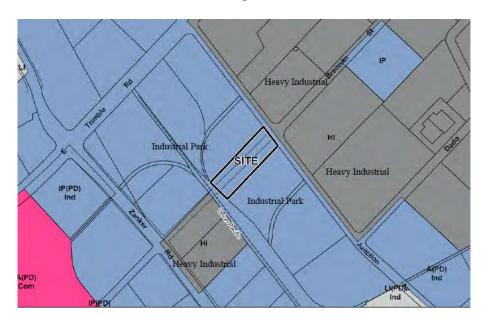
This designation is intended for a wide variety of industrial uses such as warehousing, wholesaling, and light manufacturing. Wireless communication facilities, while not directly identified as a use by the Light Industrial designation, provide a service to the surrounding area, and beyond, and are needed to carrying out the daily work of businesses in the area. The project is also consistent with the following General Plan policy:

- 1. <u>Goal IN-6- Telecommunications</u>: Support the provision of state-of-the-art telecommunication services for households, business, institutions, and public agencies throughout the city to foster fiscal sustainability, an innovated economy, support environmental leadership, meet the needs of quality neighborhoods and advance other Envision General Plan goals.
 - Analysis: The proposed project provides additional telecommunication systems to meet the service needs of the neighboring community.
- 2. <u>Policy IN-6.1</u>: Work with service providers to ensure access to and availability of a wide range of state-of-the-art telecommunication systems and services for households, businesses, institutions, and public agencies throughout the city.
 - Analysis: The proposed project does not impair or impede the use of the existing commercial uses or preclude redevelopment of the subject site in the future.
- 3. Community Design Policy 4.12: For structures other than buildings, and including structures on top of buildings, such as solar panels, other energy-saving or generating devices, roof landscaping, steeples, bell towers, and wireless communication antennae, where substantial height is intrinsic to the function of the structures, consider heights above those established for structures in the area. Locate such structures to minimize public visibility and avoid significant adverse effects on adjacent properties. Incorporate visual amenities, such as landscaping, to offset potential adverse visual impacts.

Analysis: The proposed monopine design limits the facility's visual impact on the surrounding area, as the wireless communication antenna will blend in with the rest of the landscape that is visible from Junction Avenue.

Zoning Ordinance Conformance

The proposed site is in the Industrial Park Zoning District.



In the Industrial Park Zoning District, a wireless communications antenna requires a Conditional Use Permit. The maximum allowed height of structures in the Industrial Park Zoning District is 50 feet. However, Chapter 20.85 of the San Jose Municipal Code allows 120 feet in employment centers, such as North San Jose. The proposed project conforms to the Industrial Park Zoning District development standards in that the monopole is only 60 feet.

The project is also in conformance with the required findings to recommend approval of the Conditional Use Permit. First, the monopine will not impair the utility or value of surrounding properties in that it is located in the rear portion of a parking lot of an industrial building. The proposed monopine also complies with City noise and air quality standards, thus ensuring that the monopine will not be detrimental to public health, safety or general welfare.

Second, the site is adequate in size to accommodate the proposed monopine in that the 32' x 26' leased area only takes up 6% of the entire 3.03 acre site. This leased area will eliminate three of the 18 provided parking spaces. However, despite this reduction in parking, there is still enough parking to accommodate the uses of the building.

Finally, the site is accessible to those who are involved in maintenance of the equipment, and can be accessed for that purpose when necessary.

Wireless Communications Facilities Policy

As stated in the City Council's Land Use Policy for Wireless Communication Facilities (Council Policy 6-20), San Jose has a strong interest in achieving and maintaining a high level of wireless communication service availability for businesses and residents. The City encourages substantial competition among service providers to meet increasing demands for newer and better services. However, a visual impacts and residential interface concerns can result from the development of wireless communication facilities.

The purpose of the Policy is to identify criteria to minimize and appropriately locate monopole facilities. Per the analysis below, the proposed project is consistent with City Council Policy (6-20) Land Use Policy for Wireless Communications Facilities.

1. The Wireless Policy specifies that prior to the construction of a new wireless communication monopole, an alternatives analysis should be prepared to identify alternatives that reduce visual impacts.

Analysis: In accordance with the Policy, the applicant prepared an Alternatives Analysis. The application sought out areas that would be appropriate to fill the gap in coverage in this particular part of the city. Five other alternative sites were evaluated, but found to be insufficient for various reasons. The first location explored by the applicant was on an existing monopole located at 535 Brennan Street. This monopole has three existing carriers, and there was no available space on the tower or in the leased ground space for new antennas or the associated equipment. The second potential site was located at 696 E. Trimble Road. The property owner at this site was unwilling to encumber the land with a wireless communications until his building was fully leased, to ensure there was no conflict with a potential tenant and the wireless communication operation. In order to fill the current gap in service, the applicant could not wait for the building to be fully leased. The final three possible locations had property owners who were unwilling to lease space for a monopine. This left the applicant with the 2291 Junction Avenue location as the only viable site location.

2. The Wireless Policy specifies that new freestanding monopoles should be located and designed to minimize public visibility and that ancillary equipment should be adequately screened and landscaped to minimize potential for graffiti vandalism.

Analysis: The project proposes a monopine design, which will help to blend the monopole in with the surrounding landscape (refer to the attached photographic simulations). There are several mature trees in the same sightline as the proposed monopine which help reduce the obvious presence of the monopine. The overall height for the monopine's branches is 60 feet, with antennas no higher than 55 feet in order to fully screen the antennas from view. A new freestanding monopole, which was originally proposed, would have been more visually intrusive than the new proposed monopine design. The proposed equipment area will enclosed in a privacy slated fence, behind the main building on the property, and it will not be visible from the street.

Photo Simulation: Looking South from East Trimble Road

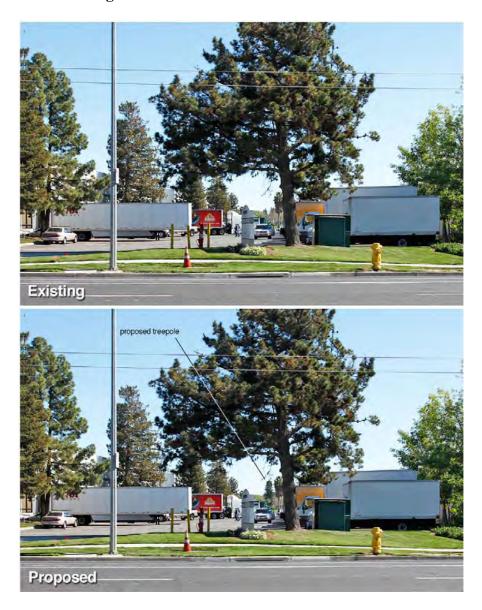


Photo Simulation: Looking Northeast from Zanker Road



Based on the above analysis, staff concludes that the proposed wireless facility is in substantial conformance with the requirements of Council Policy 6-20.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Under the provisions of Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act, the Conditional Use Permit is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended (CEQA). Section 15303 (New Construction or Conversion of Small Structures) exemption applies to the construction and location of new, small facilities or structures.

As for environmental impacts from radiofrequency (RF) radiation, the Telecommunications Act of 1996 contains provisions concerning the placement of antenna structures and other facilities for use in providing personal wireless services. As required by this law, the Federal Communications Commission (FCC) adopted guidelines for environmental RF emissions. These guidelines apply to all transmitters licensed or authorized by the FCC, including antennas

licensed to wireless service providers and the cellular telephones used by subscribers to the service. The guidelines are based upon recommendations of federal agencies with expertise in health and safety issues. The FCC has created guidelines for human exposure to RF fields. Specifically, the Act states, "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."

PUBLIC HEARING NOTIFICATION

Although this item does not meet any of the criteria below, staff followed Council Policy 6-30: Public Outreach Policy. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

from	the public.
	Criterion 1: Requires Council action on the use of public funds equal to \$1 million or greater. (Required: Website Posting)
	Criterion 2: Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. (Required: E-mail and Website Posting)
	Criterion 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. (Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)
	Lea Simvoulakis roved by: Division Manager for Harry Freitas, Planning Director
	chments:
	oit A: Draft Resolution
Exhil	bit B: Reduced Plan Set

Owner:	Applicant:
Bedrosian San Jose, LLC 4285 N. Golden State Bouleyard Fresno, California 93722	GTE Mobilnet of California LP, d/b/a Verizor Wireless c/o Pamela Nobel with NSA Wireless Inc. 2010 Crow Canyon Place #355 San Ramon, CA 94583

RESOLUTION NO.

Resolution of the Planning Commission of the City of San José granting, subject to conditions, a Conditional Use Permit to use certain real property described herein for the purpose of allowing the construction of a 60 foot tall wireless communication antenna monopole (monopine design) and associated equipment within a fenced enclosure on a 3.03 gross acre site in the Industrial Park Zoning District located at the west side of Junction Avenue, at the west terminus of Brennan Drive (2291 Junction Avenue)

FILE NO. CP14-023

WHEREAS, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on April 23, 2014, an application (File No. CP14-023) was filed for a Conditional Use Permit for the purpose of allowing the construction of a 60 foot tall wireless communication antenna monopole (monopine design) and associated equipment within a fenced enclosure on a 3.03 gross acre site (hereinafter referred to as "subject property"), situate in Industrial Park Zoning District, located at 2291 Junction Avenue, San José, California 95131.

WHEREAS, the subject property is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, this Planning Commission conducted a hearing on July 23, 2014 on said application, notice of which was duly given; and

WHEREAS, at said hearing, this Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this Planning Commission received and considered the reports and recommendation of the Director of Planning, Building and Code Enforcement; and

WHEREAS, at said hearing, this Planning Commission received in evidence a development plan for the subject property entitled, "Trimble & Montague 2291 Junction Avenue, San Jose, California 95131," dated June 19, 2014. Said plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said development plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

P.C. Agenda: 07-23-14

Item No.: 3.b.

File No.: CP14-023

Page 2 of 7

WHEREAS, said hearing was conducted in all respects as required by the San José Municipal Code and the rules of this Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN JOSÉ AS FOLLOWS:

After considering evidence presented at the Public Hearing, the Planning Commission finds that the following are the relevant facts regarding this proposed project:

- 1. The site has a designation of Light Industrial on the adopted San José 2040 General Plan Land Use/Transportation Diagram.
- 2. The project site is located in the Industrial Park Zoning District.
- 3. The subject site is a 3.03 gross acre site located at 2291 Junction Avenue, San Jose, California 95131.
- 4. The subject property is developed with a multi-tenant industrial building on the site.
- 5. Wireless communication antennas are a conditional use in the Industrial Park Zoning District.
- 6. The subject Conditional Use Permit is to construct a 60 foot tall wireless communication antenna monopole (monopine design) including 9 antennas and associated equipment within a fenced enclosure.
- 7. The maximum height allowed under the Industrial Park Zoning District is 50 feet, except for those parcels located in an employment center in the North San Jose area. Parcels located to the north and west of Interstate 880, the maximum allowable building height shall comply with Zoning Code Section 20.85.020(C)(1)(e), which provides for a different maximum height of 120 feet.
- 8. The rear setback requirement for buildings and structures in the Industrial Park Zoning District is zero. The proposed leased area directly abuts the rear property line.
- 9. The proposed facility will be unmanned, except for monthly maintenance operations.
- 10. Surrounding land uses include Industrial Park uses to the north and south of the project, and Industrial Park and Heavy Industrial uses to the east and west of the proposed location.
- 11. There is no residential use within 500 feet of the location.
- 12. Under the provisions of Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines), this project was found by the Director of Planning to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended (CEQA).

The Planning Commission concludes and finds, based upon an analysis of the above facts that:

- 1. The interrelationship between the orientation, location, and elevations of proposed buildings and structures and other uses on-site are mutually compatible and aesthetically harmonious.
 - a. The monopine design will limit the visual impacts of the project and help the wireless communication antenna installation integrate with the surrounding visual landscape.

File No.: CP14-023 Page 3 of 7

2. The orientation, location and elevation of the proposed buildings and structures and other uses on the site are compatible with and are aesthetically harmonious with adjacent development or the character of the neighborhood.

- a. The proposed design is aesthetically harmonious with the mature trees located in the line of sight of the proposed monopine.
- 3. The environmental impacts of the project, including but not limited to noise, vibration, dust, drainage, erosion, storm water runoff, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative affect on adjacent property or properties.
 - a. Under the provisions of Section 15303 the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), this project was found by the Director of Planning, Building, and Code Enforcement to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.
- 4. Landscaping, irrigation systems, walls and fences, features to conceal outdoor activities, exterior heating, ventilating, plumbing, utility and trash facilities are sufficient to maintain or upgrade the appearance of the neighborhood.
 - a. The associated equipment and backup generator will be located in a fenced compound with privacy slats. This compound will be behind the existing building and will not be seen from the street.
- 5. Traffic access, pedestrian access and parking are adequate.
 - a. Traffic access to the site and parking are adequate for the infrequent maintenance activities required for the existing and proposed facilities.
- 6. The application is either consistent with the General Plan or counterbalancing considerations justify the inconsistency.
 - a. The proposed project is consistent with the site's General Plan Land Use/Transportation Designation of Light Industrial.
 - b. The proposed project is consistent with General Plan Policies Goal IN6, Policy IN6.1, and CD4-12.

Finally, based upon the above-stated findings and subject to the conditions set forth below, the Planning Commission finds that:

- 1. The proposed use at the location requested will not
 - a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
 - b. Impair the utility or value of property of other persons located in the vicinity of the site; or
 - c. Be detrimental to public health, safety or general welfare; and

File No.: CP14-023 Page 4 of 7

2. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding areas; and

- 3. The proposed site is adequately served:
 - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quality of traffic such use would generate; and
 - b. By other public or private service facilities as are required.

In accordance with the findings set forth above, a Conditional Use Permit (referred to herein as the "Permit" or "Conditional Use Permit") to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby **granted**. This Planning Commission expressly declares that it would not have granted this Permit except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

CONDITIONS

- 1. **Acceptance of Permit.** Per Section 20.100.290(B) of Title 20 of the San Jose Municipal Code, should the applicant fail to file a timely and valid appeal of this Permit within the applicable appeal period, such inaction by the applicant shall be deemed to constitute all of the following on behalf of the applicant:
 - a. Acceptance of the Permit by the applicant; and
 - b. Agreement by the applicant to be bound by, to comply with, and to do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of this Permit or other approval and the provisions of Title 20 applicable to such Permit.
- 2. **Permit Expiration.** This Permit shall automatically expire four years from and after the date of issuance hereof by the Planning Commission, if within such time period, a Building Permit has not been obtained or the use, if no Building Permit is required, has not commenced, pursuant to and in accordance with the provision of this Permit. The date of issuance is the date this Permit is approved by the Planning Commission. However, the Director of Planning, Building and Code Enforcement may approve a Permit Adjustment/Amendment to extend the validity of this Permit in accordance with Title 20. The Permit Adjustment/Amendment must be approved prior to the expiration of this Permit.
- 3. **Building Permit.** Procurement of a Building Permit from the Building Official for the structures described or contemplated under this Conditional Use Permit shall be deemed acceptance of all conditions specified in this Conditional Use Permit and the applicant's agreement to fully comply with all of said conditions. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Chief Building Official, as required under San Jose Municipal Code Section 24.02.610, and any such change in occupancy must comply with all other applicable local and state laws.

File No.: CP14-023 Page 5 of 7

4. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José-Santa Clara Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of San José-Santa Clara Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.

- 5. Conformance to Plans. The development of the site shall conform to the approved Conditional Use Permit plans entitled, "Trimble & Montague 2291 Junction Avenue, San Jose, California 95131" revised on June 19, 2014 on file with the Department of Planning, Building and Code Enforcement as may be amended and approved by the Director of Planning, Building, and Code Enforcement, and to the San José Building Code (San José Municipal Code, Title 24).
- 6. **Site and Project Design.** The permittee shall provide appropriate evidence of compliance with the following conditions to the satisfaction of the Director of Planning, Building and Code Enforcement at time of issuance of a building permit:
 - a. The faux branches shall be constructed and at all times maintained on the monopine so that the faux branches completely envelop all tower mounted equipment.
 - b. All panel antennas, support arms, ancillary equipment installed adjacent to the antennas shall be colored in browns and greens to mimic the natural colors of a natural tree.
 - c. Three-dimensional bark cladding shall be installed on all portions of the trunk and branches of the monopine.
 - d. The monopine shall be constructed with a natural tapering canopy, and employ a minimum of 3.5 branches per foot.
 - e. All cables connecting the monopine to the base station building shall run at a height lower than the perimeter fence along the project area so that the cables are not visible from outside the fence
 - f. The monopine will not be higher than 60 feet in height to the top of the tree.
 - g. No antenna on this monopine will be higher than 55 feet.
- 7. **Wires for Monopoles.** All wires shall be located either within the pole or otherwise enclosed as to not be visible outside the equipment enclosure. All cables shall be within the trunk of the monopine from the point where they enter at the level of the antennas to the point where they exit to transit to the base station building.
- 8. **Discontinuation of Wireless Use.** Upon discontinuation of the use of the subject antennas, the applicant shall remove all antenna improvements and related equipment/enclosures associated with this Permit within thirty (30) days.

File No.: CP14-023 Page 6 of 7

9. **Co-location**. The owner(s) and operators of the proposed antenna support structure shall fully cooperate and allow the co-location of antennas for other providers. Other wireless providers shall also be allowed to add on to existing at grade equipment enclosures in full compliance with condition #7.

- 10. **Compliance with FCC Standards**. The proposed wireless communication facility shall comply with all applicable Federal Communications Commission (FCC) standards with regards to the emission of electromagnetic frequency radiation.
- 11. **Nuisance**. This use shall be operated in a manner which does not create a public or private nuisance. Any such nuisance must be abated immediately upon notice by the City.
- 12. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws. No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code.
- 13. **Discretionary Review.** The Director of Planning, Building and Code Enforcement maintains the right of discretionary review of requests to alter or amend structures, conditions, or restrictions of this Permit incorporated by reference in accordance with Chapter 20.100 of Title 20 of the San Jose Municipal Code
- 14. **Outdoor Storage**. No outdoor storage is allowed or permitted unless designated on the final Approved Plan Set.
- 15. **Utilities.** All new on-site telephone, electrical, and other overhead service facilities shall be placed underground.
- 16. **Anti-Graffiti.** The applicant shall remove all graffiti from buildings and wall surfaces within 48 hours of defacement.
- 17. **Anti Litter**. The site and surrounding area shall be maintained free of litter, refuse, and debris. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage.
- 18. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to review and approval by the Director of Planning, Building and Code Enforcement through a subsequent Permit Adjustment.
- 19. **Building and Property Maintenance.** The property owner or management company shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping.
- 20. **Perimeter Fencing.** Fence height and materials shall be provided as shown on the approved plans. Changes to the approved fencing shall require review by the Director of Planning, Building, and Code Enforcement.
- 21. **Colors and Materials**. All colors and materials are to be those specified on the final Approved Plan Set.
- 22. **Building Division Clearance for Issuing Permits.** Prior to the issuance of a Building Permit, the following requirements must be met to the satisfaction of the Chief Building Official:

File No.: CP14-023 Page 7 of 7

- a. *Construction Plans*. These permit file number, CP14-023 shall be printed on all construction plans submitted to the Building Division.
- 23. **Revocation, Suspension, Modification.** This Conditional Use Permit may be revoked, suspended or modified by the Planning Commission, or by the City Council on appeal, at any time regardless of who is the owner of the subject property or who has the right to possession thereof or who is using the same at such time, whenever, after a noticed hearing in accordance with Part 3, Chapter 20.44, Title 20 of the San José Municipal Code it finds:
 - a. A violation of any conditions of the Conditional Use Permit was not abated, corrected or rectified within the time specified on the notice of violation; or
 - b. A violation of any City ordinance or State law was not abated, corrected or rectified within the time specified on the notice of violation; or
 - c. The use as presently conducted creates a nuisance.

APPROVED this 23th day of July, 2014, by the following vote:

Planning Commission Secretary

In accordance with the findings set forth above, a permit to use the subject property for said purpose specified above is hereby approved.

·	· ·
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	MATT KAMKAR Chairperson
ATTEST:	
HARRY FREITAS	
Director of Planning, Building & C	de Enforcement

NOTICE TO PARTIES

The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.

TRIMBLE & MONTAGUE SITE NAME:

PSL NUMBER: 255606

2291 JUNCTION AVE SITE ADDRESS:

SAN JOSE, CA 95131

SITE ADDRESS:

2291 JUNCTION AVE. SAN JOSE, CA 95131

PROPERTY OWNER:

BEDROSIAN SAN JOSE, LLC A CALIFORNIA LIMITED LIABILITY CO. PHONE 949-436-1899

PROJECT ARCHITECT:

DIAMOND ENGINEERING SERVICES, INC BENICIA, CA 94510 CONTACT: BRUCE LYON, ARCHITECT

PROJECT ENGINEER:

DIAMOND ENGINEERING SERVICES, INC 4255 PARK ROAD BENICIA, CA 94510 CONTACT: ERIC UHRENHOLT, PE

CONSTRUCTION MANAGER:

NSA WIRELESS SAN RAMON, CA 94583 CONTACT: SCOTT COWAN (925) 244-1890 Ext.237

ZONING / LEASING:

ZONING CLASSIFICATION:

BUILDING TYPE:

FIRE SPRINKLES:

EXISTING WAREHOUSE

SITE COMPOUND AREA:

NSA WIRELESS 2010 CROW CANYON PL., STE. #355 CONTACT: PAMELA NOBEL (707) 486-7252

SITE INFORMATION

HEAVY INDUSTRIAL

BUILDING DATA

REOUIRED.

S-2, UNMANNED WIRELESS TELECOMMUNICATIONS FACILITY

AN AUTOMATED FIRE SUPPRESSION

SYSTEM (FIRE SPRINKLERS) ARE NOT

JURISDICTION:

APN: 237-28-045

ELEVATION (NAVD88):

LATITUDE (NAD83):

LONGITUDE (NAD83):

POWER COMPANY:

PH: (800) 743-5000

TELCO COMPANY:

VrB VERIZON BUISNESS PH: (855) 392-9210

APPLICANT:

veri on wireless 2785 MITCHELL DRIVE WAI NUT CREEK CA 94598

PRE-FABRICATED SHELTER IS STATE OF CALIFORNIA APPROVED / **BUILDING CODES**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN

AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN

TO THE LATEST APPLICABLE VERSION OF THESE CODES.

WORK PERFORMED SHALL COMPLY WITH THE FOLLOWING:

CALIFORNIA ENERGY EFFICIENCY STANDARDS CODE (CEES) 2013

EDITION REVISED JULY 2013, AND ALL APPLICABLE LOCAL & STATE ORDINANCES, CODES AND REGULATIONS AND 2013 CALIFORNIA STATE

2013 CALIFORNIA BUILDING CODE (CBC)

CALIFORNIA FIRE CODE

CALIFORNIA BUILDING CODE

CALIFORNIA PLUMBING CODE

CALIFORNIA ELECTRICAL CODE

STANDARDS CODE AMENDMENTS.

CITY/COUNTY ORDINANCES

LOCAL BUILDING CODE

CALIFORNIA MECHANICAL CODE

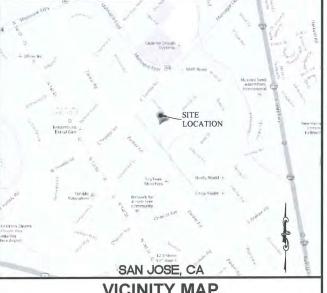
ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES

THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING

2013 EDITION IAPMO

2013 EDITION IAPMO

2013 EDITION 2008 NEC



VICINITY MAP

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS REQUIREMENTS ARE NOT REQUIRED

ADA COMPLIANCE

VERIZON WIRELESS REAL-ESTATE: ERIZON WIRELESS EQUIPMENT ENGINEER: VERIZON WIRELESS RF ENGINEER: VERIZON WIRELESS CONSTRUCTION SIGNATURE: DATE: PROPERTY OWNER AGENT - LEASING

SIGNATURES

SIGNATURE OF APPROVAL

SIGNATURE

SIGNATUR

AGENT - ZONING

- INSTALL NEW VERIZON WIRELESS 31'-6" x 26'-0" CMU FENCE COMPOUND. INSTALL NEW 11'-6" x 16'-10 1/2" EQUIPMENT SHELTER INSIDE NEW VERIZON WIRELESS 31'-6" x 26'-0" CMU FENCE COMPOUND.
- INSTALL NEW 30kW GENERATOR, W/ 132 GALLON, UL 142 FIRE RATED DIESEL FUEL TANK, 68dBA, LEVEL 2 ENCLOSURE, INSIDE NEW VERIZON WIRELESS FENCED COMPOUND. INSTALL NEW 60'-0"± A.G.L. MONOPINE INSIDE FENCED COMPOUND.
 INSTALL (3) NEW 4'-3"H ANTENNAS PER SECTOR TO THE NEW MONOPOLE, (3)

AGENT - CONSTRUCTION

INSTALL (2) RRU's PER SECTOR FOR A TOTAL OF (6) RRU's. INSTALL (2) RAYCAPS.

PROJECT DESCRIPTION



NSA Wireless, Inc. 2010 CROW CANYON PL., STE. #355

SAN RAMON, CA 94583

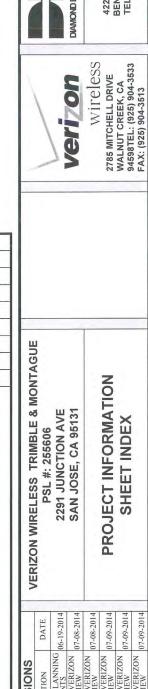


PROJECT TEAM

SHEET NO	DESCRIPTION
G1	PROJECT INFORMATION AND SHEET INDEX
C-1	SITE SURVEY
C-2	SITE SURVEY
A1	SITE PLAN
A2	EQUIPMENT PLAN
A3	ELEVATIONS
A4	ELEVATIONS
AD1	ANTENNA & H-FRAME DETAILS



SHEET INDEX



Draw/Check B N13003B BLL / EKU

G1

NOTES

OWNER(S): BEDROSIAN SAN JOSE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY APN: 237-28-045

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT BY: FIDELITY NATIONAL TITLE COMPANY, TITLE NO. 14-5015762-A, DATED FEBRUARY 3, 2014. WITHIN SAID TITLE REPORT THERE ARE TEN (10) EXCEPTIONS LISTED, ONE (1) OF WHICH IS AN EASEMENT, AND NONE (0) OF WHICH CANNOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

The information shown above meets or exceeds the requirements set forth in FAA order 8280.19D for 1-A occuracy (\pm 20' horizontally and \pm 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

THE LATITUDE AND LONGITUDE AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 37" 23" 13.5" N. NAD 83 LONG. 121" 55" 10.8" W. NAD 83 ELEV. 28.0" NAVD 88 — GROUND (BASIS OF DRAWING)

LESSOR'S PROPERTY LEGAL DESCRIPTION PER TITLE REPORT:

REAL PROPERTY IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL ONE:

PARCEL 2, AS SHOWN ON PARCEL MAP FILED APRIL 26, 1977 IN BOOK 394 OF MAPS, AT PAGE(S) 9, SANTA CLARA COUNTY RECORDS.

PARCEL TWO:

An easement for railroad spur track purposes over that portion of "parcel 1", as shown on said parcel map included within the following described lines:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID "PARCEL 1", THENCE NORTH 42"31'15" EAST, ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 147 FEET TO A POINT IN THE ARC OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 317.72 FEET, SAID CURVE BEING TANGENT AT ITS NORTHERLY TERMINUS TO A LINE THAT IS PARALLEL WITH AND DISTANCE 10 FEET NORTHWESTERLY, MEASURED AT RICHT ANGLES, FROM SAID NORTHWESTERLY LINE; THENCE SOUTHERLY ALONG SAID ARC TO THE SOUTHERSTERLY LINE OF SAID PARCEL: THENCE NORTH 48"45'41" WEST, ALONG LAST SAID LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL GAS, MINERALS, AND OTHER HYDROCARBONS SUBSTANCES LYING BELOW A DEPTH, BUT WITH NO RIGHT OF SURFACE ENTRY, AS PROVIDED IN DEEDS OF RECORD.

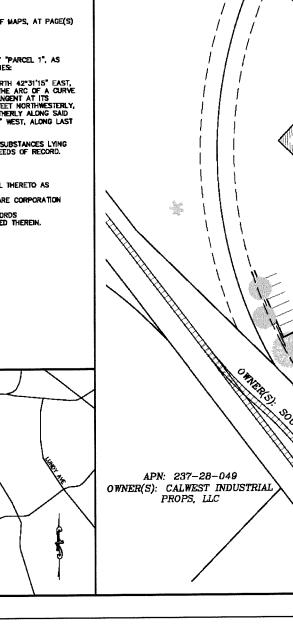
EASEMENT(S) PER TITLE REPORT:

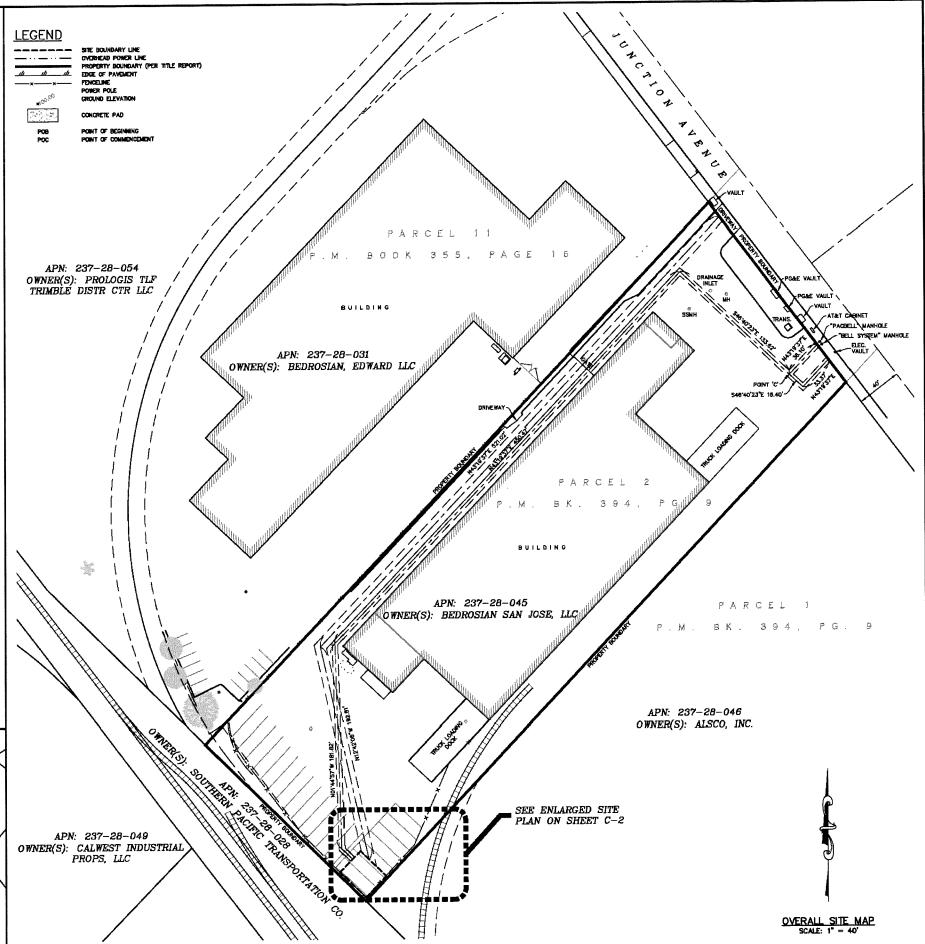
VICINITY MAP

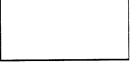
4. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT.
GRANTED TO: SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION PURPOSE: RAIRCOAD, TRANSPORTATION AND COMMUNICATION
RECORDED: MARCH 7, 1975, BOOK B310, PAGE 215, OF OFFICIAL RECORDS AFFECTS: THE SOUTHWESTERLY PORTION OF SAID LAND AS DESCRIBED THEREIN.

* * * PLOTTED AS SHOWN HEREON * * *

SITE







NSA Wireless, Inc.

2000 Crow Canyon Flace, Ste. 400 San Ramon, CA 94583 Office: 925-244-1890 Parc 925-355-0672



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SPACE RESERVED FOR PROFESSIONAL SEAL

PRELIMINARY

NOT TO BE CONSIDERED THAN WITHOUT

SERVEYOR'S SCALARD SECRETURE

REVISION NO. DESCRIPTION BY DATE

PRELIM ISSUE DL 01/08/14 SITE RELOCATED DA 01/31/14 ADD LEASE/ESMMT DA 02/11/14 REV TOWER LOC DA 02/24/14

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GJS CHECKED BY: 01/03/14 DATE DRAWN: SMITHCO JOB #: 56-604

SITE NAME

255606 TRIMBLE & **MONTAGUE**

SITE ADDRESS

2291 JUNCTION AVENUE 8AN JOSE, CA 95131 BANTA CLARA COUNTY

SHEET TITLE

SITE SURVEY

SHEET

C-1

PROPOSED LESSEE LEASE/LICENSE AREA DESCRIPTION:

ALL THAT PORTION OF THE HEREON DESCRIBED LESSOR'S PROPERTY, SITUATE IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY MOST CORNER OF SAID LESSOR'S PROPERTY; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PROPERTY (SAID SOUTHWESTERLY LINE HAVING A BEARING OF N 45'27'19" W, A DISTANCE OF 2.08, THENCE LEAVING SAID SOUTHWESTERLY LINE, N 44'32'41" E, A DISTANCE OF 2.58 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N45'42'38"W, A DISTANCE OF 32.00 FEET;
THENCE N44'17'22"E, A DISTANCE OF 18.00 FEET TO POINT 'A';
THENCE CONTINUING N44'17'22"E, A DISTANCE OF 10.00 FEET;
THENCE S45'42'38"E, A DISTANCE OF 10.50 FEET TO POINT 'B';
THENCE CONTINUING S45'42'38"E, A DISTANCE OF 21.50 FEET;
THENCE S44'17'22"W, A DISTANCE OF 26.00 FEET TO THE POINT OF BEGINNING. COURSE 1) COURSE 2) COURSE 3) COURSE 4) COURSE 5) COURSE 6)

CONTAINING 832 SQUARE FEET, MORE OR LESS.

PROPOSED LESSEE NON-EXCLUSIVE ACCESS ROUTE DESCRIPTION:

A 10.00 FOOT WIDE NON-EXCLUSIVE ACCESS ROUTE FOR INGRESS AND EGRESS PURPOSES, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE ABOVE DESCRIBED POINT "B";

COURSE 1)
COURSE 2)

THENCE N 12'42'08" W, A DISTANCE OF 192.81 FEET:
THENCE N 43'19'37" E, A DISTANCE OF 521.02 FEET TO THE SOUTHWESTERLY
RIGHT-OF-WAY OF JUNCTION AVENUE AND THE TERMINUS OF THIS DESCRIPTION.

PROPOSED LESSEE UTILITY ROUTE DESCRIPTION:

A 5.00 FOOT WIDE NON-EXCLUSIVE UTILITY ROUTE FOR TELCO AND POWER PURPOSES, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE ABOVE DESCRIBED POINT "A";

COURSE 2)

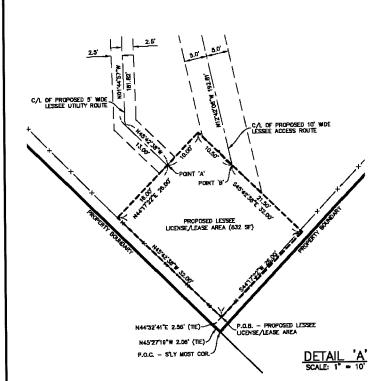
COURSE 3)

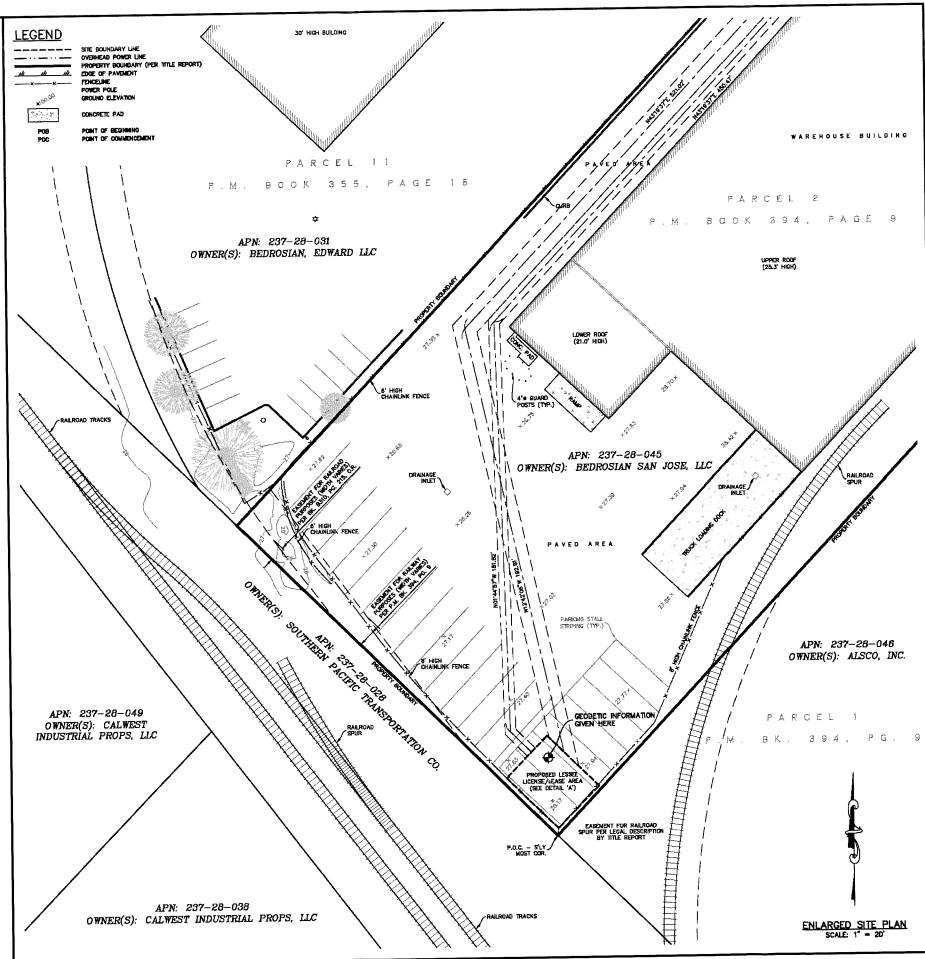
THENCE N 45'42'38" W, A DISTANCE OF 13.00 FEET;
THENCE N 01'44'57" W, A DISTANCE OF 181.82 FEET;
THENCE N 43'19'37" E, A DISTANCE OF 450.47 FEET;
HENCE S 48'40'23" E, A DISTANCE OF 13.62 TO POINT 'C';
THENCE CONTINUING S 46'40'23" E, A DISTANCE OF 16.40 FEET;
THENCE N 43'19'37" E, A DISTANCE OF 33.37 FEET TO THE TERMINUS OF THIS DESCRIPTION. COURSE 5

Together with a 5.00 foot wide non-exclusive utility route for telco and power purposes, the centerline of which is described as follows:

BEGINNING AT THE ABOVE DESCRIBED POINT "C";

COURSE 1) THENCE N 4319'37" E, A DISTANCE OF 36.10 FEET TO THE TERMINUS OF THIS DESCRIPTION.





NSA Wireless, Inc.

2000 Crow Canyon Place, Ste. 400 Ban Ramon, CA 94583 Office: 925-244-1890 Fax: 925-355-0672

SMITHCO SURVEYING E GINEERING

P.O. BOX \$1626 BAKERSFIELD, CA \$3380 PHONE: (661) 393-1217 FAX: (661) 393-1212

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SPACE RESERVED FOR PROFESSIONAL SEAL

PRELIMINARY

KOT TO EX CONSIDERED FINAL MITHOUT

SURVEYOR'S SEAL AND SIGNATURE

REVISION NO. DESCRIPTION BY DATE

PRELIM. ISSUE DL 01/08/14 SITE RELOCATED DA 01/31/14 ADD LEASE/ESMINT DA 02/11/14 REV TOWER LOC DA 02/24/14

THIS DRAWING IS COPPRIGHTED AND IS TH SOLL PROPERTY OF THE OWNER, IT IS PRODUCED SOLLY FOR THE USE BY THE OWNER AND IT'S AFFILIATES. REPRODUCTION USE OF THIS DRAWING ANT/FIRST THE

DL GJS CHECKED BY: 01/03/14 DATE DRAWN:

SMITHCO JOB #: 56-604

SITE NAME

255606 TRIMBLE & **MONTAGUE**

SITE ADDRESS

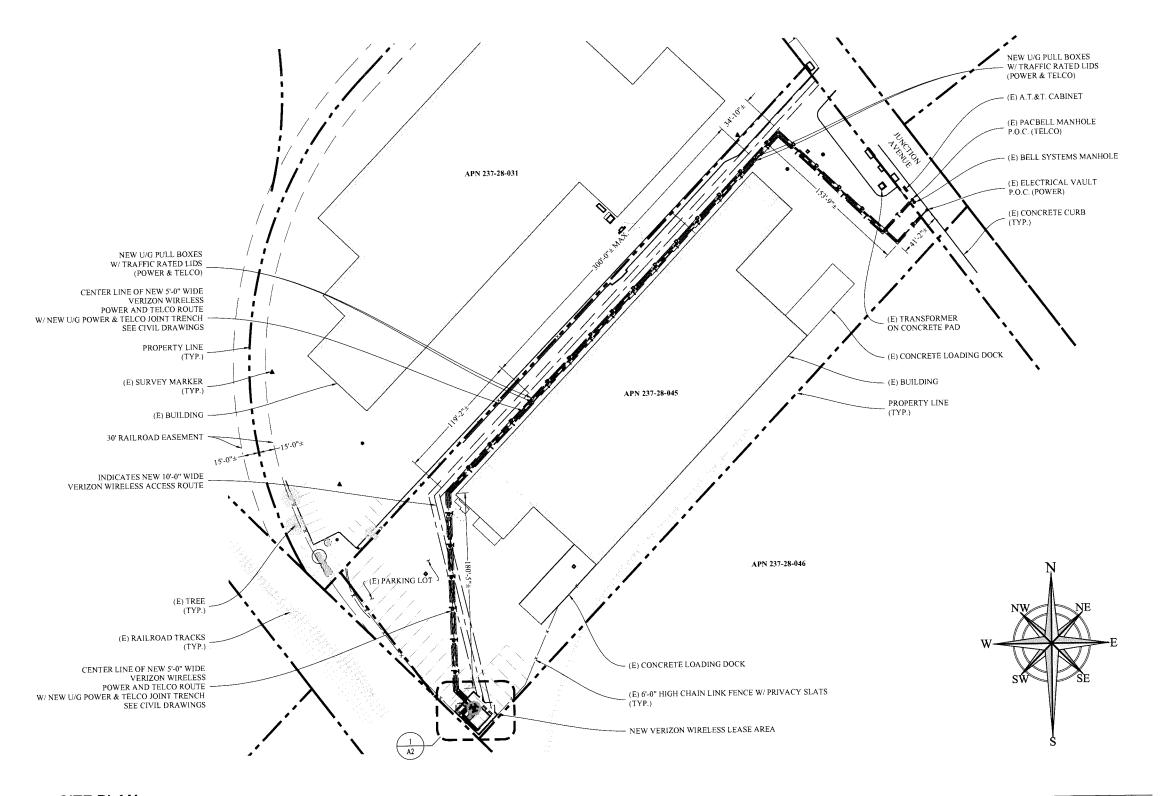
2291 JUNCTION AVENUE BAN JOSE, CA 95131 BANTA CLARA COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY SHEET

C-2



DAMOND BYGNERANG SERVICES

Wireless
Witchell drive
Nut creek, ca
87EL: (925) 904-3533

27.85 MITCHEL WALNUT CRE 94598TEL: (92

VERIZON WIRELESS TRIMBLE & MONTAGUE PSL #: 255606 2291 JUNCTION AVE SAN JOSE, CA 95131

SITE PLAN

0. DESCRIPTION DATE

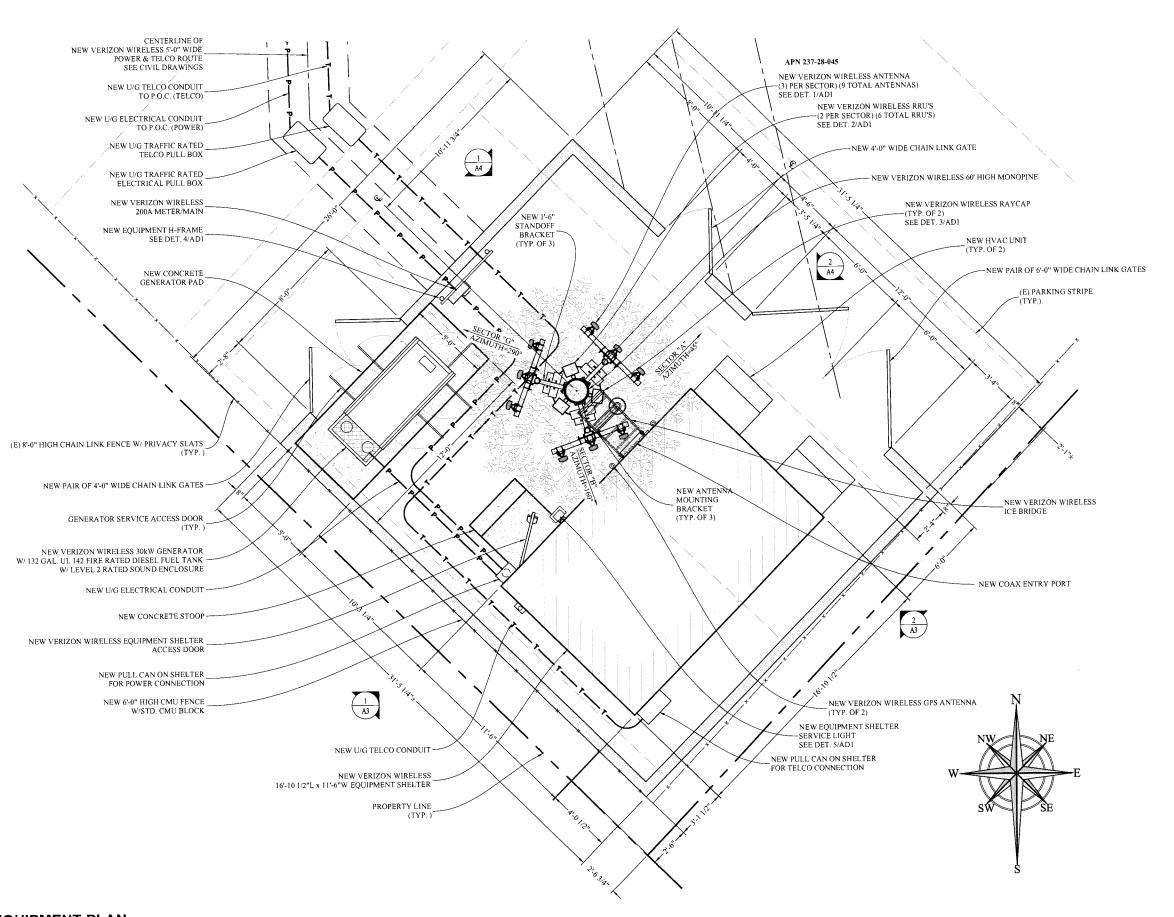
| REVISED PER VERIZON | 07-08-20 |
| REVISED PER VERIZON | 07-09-20 |

Job No.: N13003B Draw/Check By BLL / EKU

A1

1 SITE PLAN

24 x 36 SCALE: 1"=40'-0"





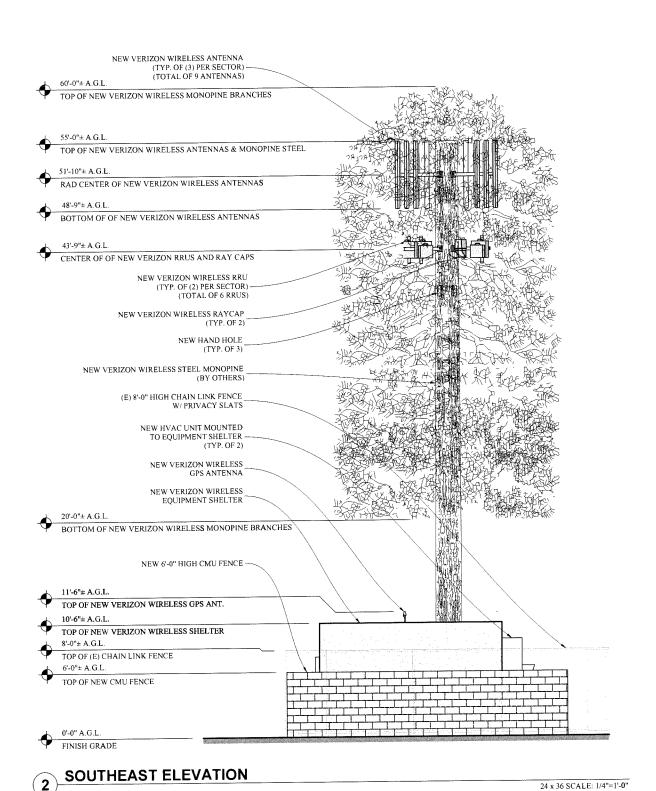
TITE CSS LL DRIVE EEK, CA

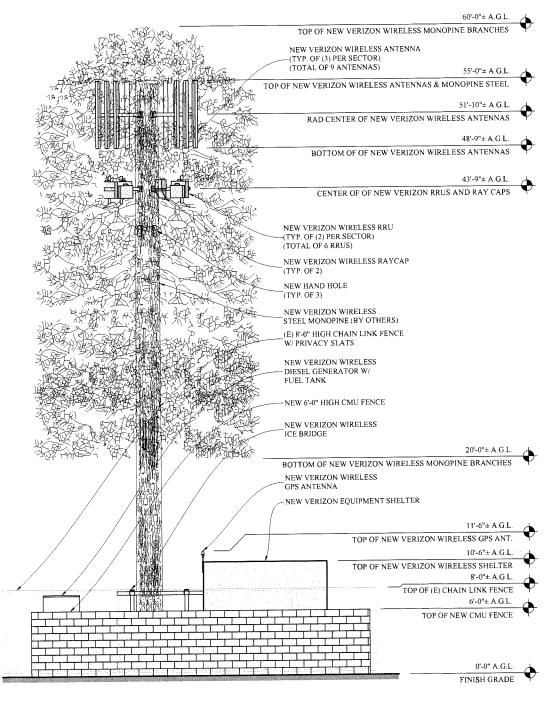
EQUIPMENT PLAN PSL #: 255606 2291 JUNCTION AVE SAN JOSE, CA 95131

VERIZON WIRELESS TRIMBLE & MONTAGUE PSL #: 255606

Draw/Check By ob No.: BLL / EKU N13003B

A2





SOUTHWEST ELEVATION

24 x 36 SCALE: 1/4"=1'-0"

DAMOND BNGNEBRAKS SERVICES

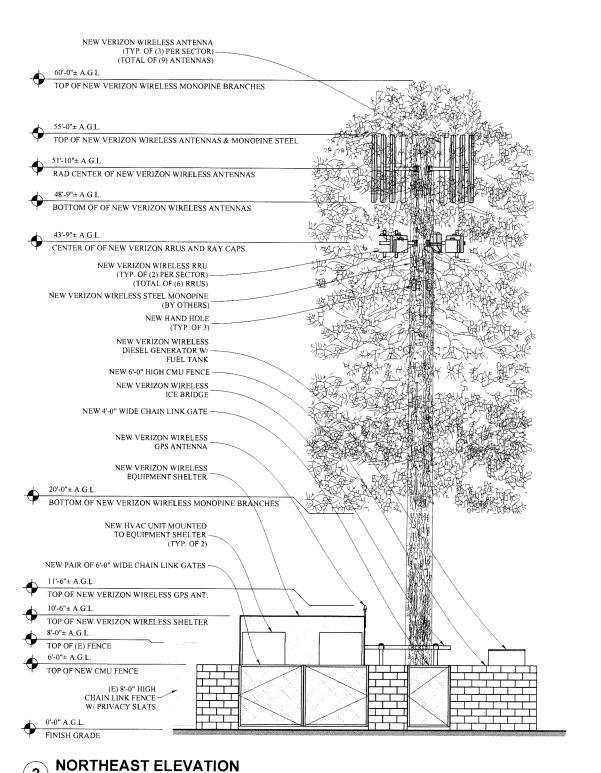
ELEVATIONS

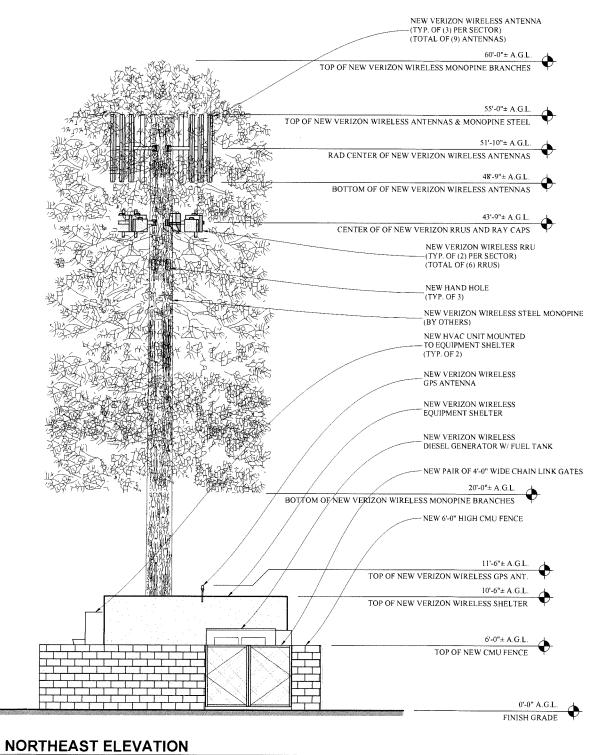
TRIMBLE & MONTAGUE

VERIZON WIRELESS PSL#

Job No.: Draw/Check By N13003B BLL / EKU

A3



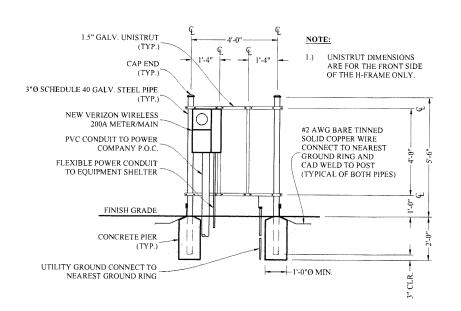


TRIMBLE & MONTAGUE VERIZON WIRELESS TRIMBLE & Mi PSL #: 255606 2291 JUNCTION AVE SAN JOSE, CA 95131 **ELEVATIONS** ob No. Draw/Check By N13003B BLL / EKU

A4

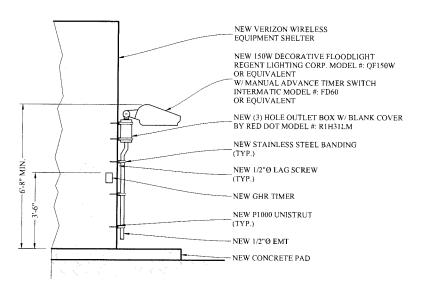
24 x 36 SCALE: 1/4"=1'-0"

24 x 36 SCALE: 1/4"=1'-0"



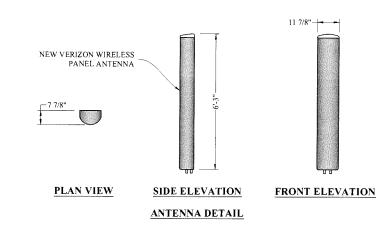
4 H-FRAME DETAIL

24 x 36 SCALE: 1/2"=1'-0"



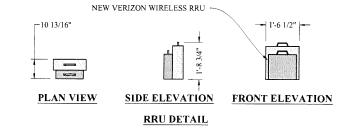


24 x 36 SCALE: 1/2"=1'-0"



1 ANTENNA DETAIL

24 x 36 SCALE: 1/2"=1'-0"



RRU DETAIL

24 x 36 SCALE: 1/2"=1'-0"



RAYCAP DETAIL

24 x 36 SCALE: 1/2"=1'-0"

REVISIONS	NS	83.5	VEDIZON WIDELESS TOIMDLE 8 MONTACHE		ı
DESCRIPTIC	N	DATE	VENIZON WINCELEGO INMIDEE & MONIAGOE PSI #: 255606		
/ISED PER PLAN COMMENTS	ANNING	06-19-2014	2291 JUNCTION AVE		
VISED PER VER FOR REVIEW	/ERIZON EW	07-08-2014	SAN JOSE, CA 95131	Verion	
LEVISED PER VERI. FOR REVIEW	VERIZON	07-08-2014			
EVISED PER VER FOR REVIEW	VERIZON IEW	07-09-2014	ANTENNA & H-FRAME	VVII CICSS	
EVISED PER VERIZ FOR REVIEW	/ERIZON EW	07-09-2014	DETAILS	WALNUT CREEK, CA	
VISED PER VERI FOR REVIEW	/ERIZON EW	07-09-2014		94598TEL: (925) 904-3533 FAX: (925) 904-3543	